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Senate Bill _____
By _____

House No. HB1780
By Eckles

AN ACT to enact the "Electricians Licensing Act of 1995", and to amend Tennessee Code Annotated, Title 62, Chapter 6, relative to electrical work.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 62, Chapter 6, is amended by adding Sections 2 through 7 as new Part 3 thereto.

SECTION 2. This part shall be known and may be cited as the "Electricians Licensing Act of 1995".

SECTION 3. (a) Any person who performs or offers to perform electrical work for a fixed price, fee, commission, or gain of whatever nature where the completed work, or of different projects under a single contract, equals or exceeds five thousand dollars (\$5,000) shall be required to be licensed pursuant to this part.

(b) The provisions of this section shall not apply to any person acting as an apprentice in the scope of his employment as provided by Section 4 of this act.

SECTION 4. (a) Any individual who desires a license as an apprentice electrician shall submit an application to the board for licensing contractors, hereinafter called the "board", on

the prescribed form. The application shall be accompanied by a nonrefundable application fee as set by the board and satisfactory proof that the applicant:

- (1) Is at least eighteen (18) years of age; and
- (2) Will be directly supervised by an electrician licensed pursuant to this act.

(b) Any individual who desires a license as journeyman electrician shall submit an application to the board for licensing contractors, hereinafter called the "board", on the prescribed form. The application shall be accompanied by a nonrefundable application fee as set by the board and satisfactory proof that the applicant:

- (1) Is at least eighteen (18) years of age; and
- (2) Has served as an apprentice electrician under the supervision of a licensed, full-time journeyman electrician for at least four (4) years; or

(3) Has completed at least two hundred (200) hours of classroom instruction in electrical-related subjects approved by the board, and has served as an apprentice electrician under the supervision of a licensed full-time journeyman electrician for at least two (2) years.

(c) (1) The board may require such other proof, through the application or otherwise, as it shall deem desirable as to the honesty, trustworthiness, integrity, reputation, and competency of the journeyman electrician or apprentice electrician applicant.

(2) If the application for electrician is satisfactory to the board, then the applicant is entitled to an examination to determine the applicant's qualifications. This examination may be written and/or oral. The board is entitled to charge each applicant an examination fee as set by the board for each written and/or oral examination.

(d) (1) Upon successful passage of such examination the board shall issue a license and pocket card upon receipt of the appropriate fee as set by the board.

(2) Such licensee shall be eligible to perform electrical work in any county or municipality upon exhibiting evidence of a current license to the appropriate local officials, the payment of any local licensing fees, and any inspection or permit fees customarily required by

any county or municipality. No county or municipality shall require such state licensee to pass any county or municipal test or examination; nor shall a county or municipality impose any additional requirements upon such state licensee, nor in any way discriminate against such state licensee on the basis of the licensee's nonresidency within the county or municipality.

(e) A license expires on the last day of the twelfth month following its issuance or renewal, and becomes invalid on such date unless renewed.

(f) Renewal notices shall be mailed ninety (90) days prior to the expiration date of the license. Such renewal must be received in the office of the board thirty (30) days prior to the expiration of such license.

(g) It is the duty of the executive director to notify by mail every person licensed pursuant to this part of the date of expiration of the license and the fee required for its renewal for one (1) year. Such notice shall be mailed in accordance with this section.

(h) The fee to be paid for the renewal of a license after its expiration date shall be set by the board.

SECTION 5. Notwithstanding the examination requirements of Section 4, subsection (c)(2), the board shall issue journeyman electrician's license to any person who submits satisfactory proof to the board that, upon the effective date of this act, such person has:

- (1) Satisfactorily completed a board-approved electrician apprenticeship program;
- (2) Completed a minimum of five (5) years experience as a journeyman electrician; or
- (3) Received a license as a journeyman electrician from the county or municipality where such person conducts business.

Provided, however, if it is determined by the board that any person falsified the application to obtain a license under this section, such person shall be required to take the examination required pursuant to Section 4, subsection (c)(2).

SECTION 6. Any person who engages or offers to engage in electrical work without a license as required by Section 3 of this act, or who violates the terms and conditions of any

license or renewal granted by the board pursuant to this part, is guilty of a Class A misdemeanor.

SECTION 7. The board is authorized to promulgate necessary rules and regulations in accordance with the Uniform Administrative Procedures Act to implement the provisions of this act. The rules shall include the requirement of a required ratio of not less than three (3) apprentice electricians to one (1) journeyman electrician.

SECTION 8. Tennessee Code Annotated, Section 62-6-201(a), is amended by deleting subdivision (1) in its entirety and by substituting instead the following:

(1) The director of the board, acting on behalf of the board, is authorized to issue citations against persons acting in the capacity of or engaging in the business of:

(A) a contractor without a license in violation of § 62-6-103; or

(B) a journeyman electrician or an apprentice electrician in violation of Section 3 of this act.

SECTION 9. Tennessee Code Annotated, Section 62-6-206, is amended by deleting the language "violation of § 62-6-103" and by substituting instead the language "violation of § 62-6-103 or Section 3 of this act".

SECTION 10. Tennessee Code Annotated, Section 62-6-207, is amended by deleting the language "a general contractor" wherever it may be found and by substituting instead the language "a general contractor or an electrician".

SECTION 11. Nothing in this act shall be construed as prohibiting a person from also being required to be licensed as a general contractor if such person performs or offers to perform more than twenty-five thousand dollars (\$25,000) of electrical work pursuant to § 62-6-103.

SECTION 12. For the purpose of promulgating rules and regulations pursuant to Title 4, Chapter 5, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes this act shall take effect January 1, 1995, the public welfare requiring it.